



General Assembly

February Session, 2010

***Raised Bill No. 5237***

LCO No. 1037

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Referred to Committee on Public Safety and Security

Introduced by:  
(PS)

***AN ACT CONCERNING THE INVESTIGATION OF MISSING PERSONS REPORTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2010*) (a) For the purposes of  
2       this section and section 2 of this act, "law enforcement agency" means  
3       the Division of State Police within the Department of Public Safety or  
4       any municipal police department and "high-risk missing person"  
5       means a law enforcement agency's classification of a missing person as  
6       high risk based upon (1) information that the missing person suffers  
7       from senility, suicidal episodes, depression or any physical or medical  
8       condition that requires immediate medication; (2) a reasonable  
9       indication that the missing person may have met with foul play or  
10      there is evidence of a risk to life or safety; or (3) a preponderance of  
11      evidence that would lead a reasonable person to conclude that the  
12      individual's disappearance was not voluntary in nature.

13      (b) A law enforcement agency shall accept without delay any report  
14      of any adult high-risk missing person. When the law enforcement  
15      agency makes a determination that a missing person is a high-risk  
16      missing person, such agency shall enter information relating to the

17 missing person into all appropriate federal or state databases as soon  
18 as practicable and shall distribute such information internally as soon  
19 as practicable to officers and members of the agency at roll call and by  
20 any other means deemed appropriate by such agency.

21 (c) The law enforcement agency shall notify the person making the  
22 report, a family member or any other person in a position to assist the  
23 law enforcement agency in its efforts to locate the high-risk missing  
24 person by providing to such person, family member or other person:

25 (1) General information about the handling of the missing person  
26 case or about intended efforts in the case, to the extent that the law  
27 enforcement agency determines that disclosure would not adversely  
28 affect its ability to locate or protect the missing person or to apprehend  
29 or prosecute any person criminally involved in the disappearance; and

30 (2) Information advising the person making the report and other  
31 involved persons that if the missing person remains missing, they  
32 should contact the law enforcement agency to provide additional  
33 information and materials that will aid in locating the missing person,  
34 such as any credit or debit cards the missing person has access to,  
35 other banking or financial information and any records of cellular  
36 telephone use.

37 (d) In cases where DNA samples are requested, the law enforcement  
38 agency shall notify such person or family member that all such DNA  
39 samples are provided on a voluntary basis and shall be used solely to  
40 help locate or identify the missing person and shall not be used for any  
41 other purpose.

42 (e) The Division of Scientific Services within the Department of  
43 Public Safety shall enter any DNA samples regarding missing persons  
44 into applicable law enforcement databases intended to identify and  
45 locate missing persons in a timely manner.

46 (f) If the person identified in the missing person report remains

47 missing for thirty days, and the additional information and materials  
48 specified in subdivisions (1) to (4), inclusive, of this subsection have  
49 not been received, the law enforcement agency shall attempt to obtain:

50 (1) DNA samples from family members and, if possible, from the  
51 missing person, along with any needed documentation, including any  
52 consent forms, required for the use of state or federal DNA databases;

53 (2) Dental information and x-rays of the missing person, and an  
54 authorization to release dental or skeletal x-rays of the missing person;

55 (3) Any additional photographs of the missing person that may aid  
56 the investigation or an identification; and

57 (4) Fingerprints of the missing person.

58 (g) Nothing in this section shall be construed to preclude a law  
59 enforcement agency from obtaining any of the materials identified in  
60 this section before the thirtieth day following the filing of the missing  
61 person report.

62 Sec. 2. (NEW) (*Effective October 1, 2010*) Agencies handling remains  
63 identified to be those of a missing person shall notify the law  
64 enforcement agency handling the missing person's case. Documented  
65 efforts shall be made to locate family members of the deceased person  
66 to inform them of the death and location of the remains of their family  
67 member.

68 Sec. 3. (NEW) (*Effective July 1, 2010*) On or before January 1, 2012,  
69 the Police Officer Standards and Training Council shall, in consultation  
70 with the Division of State Police within the Department of Public  
71 Safety, develop a training disc or other training material as the council  
72 or division deems appropriate regarding the responsibilities of law  
73 enforcement agencies in responding to and reporting high-risk missing  
74 persons, including preferred methods of response that are sensitive to  
75 the emotions of the person making the report.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	New section
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>July 1, 2010</i>	New section

***Statement of Purpose:***

To improve the ability of law enforcement agencies to locate and return missing persons, identify human remains, and provide timely information and notification to the family members of missing persons.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*